

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, MARCH 20, 2014**

**Invocation:** Rev. Edward Garcia, Pastor, Emmanuel United Methodist Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, March 20, 2014 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:09 a.m.

**CONSENT AGENDA**

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of March 4, 2014 and regular meeting of March 6, 2014.  
**The minutes from the City Council work session of March 4, 2014 and regular meeting of March 6, 2014 were approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Mayor Leffingwell abstained.**

**Item 2 was pulled to be heard after the related Executive Session item.**

3. Authorize the negotiation and execution of a cost participation agreement with S.R. Development for the City to reimburse the developer for an amount not to exceed \$95,440.80 in costs associated with the design and construction of an oversized wastewater interceptor and appurtenances related to Service Extension Request No. 3269 that will provide wastewater service to a western portion of the Moore's Crossing Municipal Utility District development located along Elroy Rd between SH 130 and McAngus Rd.  
**The motion authorizing the negotiation and execution of a cost participation agreement with S.R. Development was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
4. Approve Service Extension Request No. 3263 for water service to a 49.29 acre tract at 9100 N FM 620 Road located entirely within the Drinking Water Protection Zone in the City's 2-mile extraterritorial jurisdiction. Related to Item #5.  
**The motion to approve service extension request number 3263 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Item 5 was pulled for discussion.**

**Item 6 was pulled to be heard after the staff presentation.**

7. Authorize negotiation and execution of an amendment to the professional services agreement with AECOM TECHNICAL SERVICES, INC., for engineering services for the South Austin Regional Wastewater Treatment Plant Filter Improvements Project in the amount of \$1,349,327, for a total contract amount not to exceed \$2,892,204.25. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority Owned Business and Women Owned Business Enterprise Procurement Program with 21.65% MBE and 25.81% WBE subconsultant participation to date.)  
**The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Aecom Technical Services, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
8. Authorize negotiation and execution of a professional services agreement with CP&Y, INC. (staff recommendation) or one of the other qualified responders to RFQ Solicitation No. CLMP141, to provide engineering services for the South Austin Regional Wastewater Treatment Plant Train A & B Improvements Project in an amount not to exceed \$3,000,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE subconsultant participation.)  
**The motion authorizing the negotiation and execution of professional services agreement with CP&Y, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
9. Authorize additional funding in an amount not to exceed \$1,182,000 to the job order contract with GO GREEN SQUADS, LLC MCCULLOUGH HEATING & AIR CONDITIONING, INC.; CLIMATE MECHANICAL, INC., AIRTECH ENERGY SYSTEMS, INC.; GOOD NEIGHBOR MANAGEMENT, INC. DBA CITY CONSERVATION; AND AMERICAN CONSERVATION & AIR, INC., for Austin Energy's Home Efficiency Assistance (Free Home Weatherization) Program Tier 2 Basic Weatherization Plus HVAC to be distributed to contractors based on work authorization and availability. (Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified and no goals were established for the solicitation. Although no goals were established for this solicitation, contractors are required to comply with the MBE/WBE Procurement Program if subcontracting opportunities are identified.)  
**The motion authorizing additional funding to the job order contract with Go Green Squads, LLC; McCullough Heating & Air Conditioning, Inc.; Climate Mechanical, Inc.; Airtech Energy Systems, Inc.; Good Neighbor Management, Inc. doing business as City Conservation; and American Conservation & Air, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
10. Authorize negotiation and execution of a contract with PRISM DEVELOPMENT INC. or one of the other qualified offerors for RFP Solicitation No. CLMB315, for construction improvements of Information Systems Building 7355 Emergency Power Improvements at the Austin-Bergstrom International Airport in an amount not to exceed \$1,034,460.90 plus \$103,446 contingency for a total not to exceed amount of \$1,137,906.90. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievement of Good Faith Efforts with 58.91% MBE and 0.09% WBE subcontractor participation.)  
**The motion authorizing the negotiation and execution of a contract with Prism Development Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
11. Authorize negotiation and execution of a professional services agreement with the following three staff recommended firms or one of the other qualified responders to RFQ Solicitation No. CLMP140: NODAL

PARTNERS, LLC DBA BEE; DELTA-T, LTD; and JASMINE ENGINEERING, INC., for the 2014 Building Commissioning Services Rotation List for an estimated period of three years or until financial authorization is expended, with the total amount not to exceed \$1,500,000 divided evenly among the three firms. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.)

**The motion authorizing the negotiation and execution of a professional services agreement with Nodal Partners, LLC doing business as BEE; Delta-T, Ltd.; and Jasmine Engineering, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

12. Authorize execution of a construction contract with ALPHA BUILDING CORPORATION, for the Austin Bergstrom International Airport Building 6005 Improvements - Phase II in the amount of \$1,999,804 plus a \$200,000 contingency, for a total contract amount not to exceed \$2,199,804. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Effort with 3.57% MBE and 7.55% WBE subcontractor participation.)

**The motion authorizing the execution of a construction contract with Alpha Building Corporation was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

13. Approve a resolution authorizing Film Society of Austin, Inc. d/b/a the Austin Film Society to sublease Stage 5 of its leased premises at 1901 E. 51st Street to Rooster Teeth Productions, LLC.

**Resolution No. 20140320-013 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

14. Approve an ordinance establishing classifications and positions in the classified service of the Emergency Medical Services Department, establishing pay rates, eliminating and creating certain positions, and repealing Ordinance 20130926-024 relating to Emergency Medical Services Department classifications and positions. Related to Items #15 and #16.

**Ordinance No. 20140320-014 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

15. Authorize negotiation and execution of an interlocal agreement with the Travis County Healthcare District (d/b/a Central Health) to provide services through the Emergency Medical Services Department Community Health Paramedic Program as funded by the Delivery System Reform Incentive Payments 1115 Waiver Program for a six month term beginning March 1, 2014 and ending September 30, 2014, in an amount not to exceed \$226,839 paid by Central Health to the City. Related to Items #14 and #16.

**The motion authorizing the negotiation and execution of an interlocal agreement with the Travis County Healthcare District doing business as Central Health was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

16. Approve an ordinance amending the Fiscal Year 2013-2014 General Fund Operating Budget (Ordinance No. 20130909-001) to increase Emergency Medical Services (EMS) revenue in the amount of \$226,839, amending the Fiscal Year 2013-2014 Emergency Medical Services Department Operating Budget (Ordinance No. 20130909-001) to increase appropriations by \$226,839 and add one EMS Medic II full-time equivalent position for the expansion of the Community Health Paramedic Program. Related to Items #14 and #15.

**Ordinance No. 20140320-016 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

17. Authorize negotiation and execution of Amendment No. 3 to the interlocal agreement with AUSTIN INDEPENDENT SCHOOL DISTRICT for expanded after school enrichment services to increase the

contract amount for the April 1, 2012 through September 30, 2014 term by \$350,000 with one 12-month renewal option in an amount not to exceed \$800,764 for a total contract amount not to exceed \$2,277,674. **The motion authorizing the negotiation and execution of amendment number three to the interlocal agreement with Austin Independent School District was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

18. Approve reappointment of Philip P. Huang, M.D., M.P.H., as Health Authority and designation of Paul Hinchey, M.D., Jose G. Cabanas, M.D., and Birch Duke Kimbrough, M.D., each individually, as an Alternate Health Authority for Austin/Travis County Health and Human Services Department effective April 1, 2014.  
**The motion to approve the reappointment of Philip P. Huang, M.D., M.P.H. as Health Authority and designation of Paul Hinchey, M.D., Jose G. Cabanas, M.D. and Birch Duke Kimbrough, M.D. as Alternate Health Authority for Austin/Travis County Health and Human Services Department was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
19. Approve a resolution, under Section 11.9(d)(1), of the State of Texas 2014 Housing Tax Credit Qualified Allocation Plan, stating that the City of Austin supports an application submitted to the Texas Department of Housing and Community Affairs by Wolfpack Group, LLC for a proposed 80-unit mixed-income multi-family development located in the City of Austin Extraterritorial Jurisdiction at Long Vista Drive and Bratton Lane.  
**Resolution No. 20140320-019 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Council Member Riley voted nay.**
20. Approve a resolution under the requirements of Texas Government Code Section 2306.67071 and Texas Administrative Code Section 10.204(4) supporting the Villages of Ben White, LP's application to the Texas Department of Housing and Community Affairs for an allocation of non-competitive four percent low income housing tax credits to help finance a proposed multi-family rental development for seniors to be located at 6934 East Ben White Boulevard.  
**Resolution No. 20140320-020 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
21. Approve a resolution under the requirements of Texas Government Code Section 2306.67071 and Texas Administrative Code Section 10.204(4) supporting Ben White Development, LP's application to the Texas Department of Housing and Community Affairs for an allocation of non-competitive four percent low income housing tax credits to help finance a proposed multi-family rental development to be located at 7000 East Ben White Boulevard.  
**Resolution No. 20140320-021 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
22. Approve a resolution under Section 11.9(d)(1), State of Texas 2014 Housing Tax Credit Qualified Allocation Plan, for an application submitted to the Texas Department of Housing and Community Affairs by DDC Merritt Lakeline Station, Ltd. for a proposed mixed-income rental development, Merritt Lakeline Station, located at 10701 Lakeline Mall Drive.  
**Resolution No. 20140320-022 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
23. Approve a resolution under Section 11.9(d)(1), State of Texas 2014 Housing Tax Credit Qualified Allocation Plan, for an application submitted to the Texas Department of Housing and Community Affairs by Foundation Communities, Inc. for an affordable, multi-family rental development to be known as Southwest Trails, Phase II located at 8500 U.S. Highway 71.  
**Resolution No. 20140320-023 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

24. Approve a resolution under Section 11.9(d)(1), State of Texas 2014 Housing Tax Credit Qualified Allocation Plan, for an application submitted to the Texas Department of Housing and Community Affairs by Foundation Communities, Inc. for an affordable, multi-family rental development to be known as Rutledge Spur Apartments located at the northeast corner of Rutledge Spur & RM 620.  
**Resolution No. 20140320-024 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
25. Approve a resolution under Section 11.9(d)(1), State of Texas 2014 Housing Tax Credit Qualified Allocation Plan, for an application submitted to the Texas Department of Housing and Community Affairs by Foundation Communities, Inc. for a proposed affordable rental development, to be known as Cardinal Point, located at 11108 and 11300 Zimmerman Lane.  
**Resolution No. 20140320-025 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Council Member Riley voted nay.**
26. Approve a resolution under Section 11.9(d)(1), State of Texas 2014 Housing Tax Credit Qualified Allocation Plan, for an application submitted to the Texas Department of Housing and Community Affairs by Foundation Communities, Inc. for an affordable, single room occupancy development to be known as Bluebonnet Studios, located at 2301 South Lamar Boulevard.  
**Resolution No. 20140320-026 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
27. Approve a resolution restating the provisions in Resolution No. 20140213-020, regarding a loan for a proposed mixed income rental development known as the Merritt Lakeline Station Apartments located at 10701 Lakeline Mall Drive.  
**Resolution No. 20140320-027 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
28. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple five tracts of land totaling approximately 23.431 acres in Travis County, Texas, located along Old San Antonio Road, from Eric Arnold Wunneburger, individually and as executor of the Estate of Flora Wunneburger a/k/a Flora Wunneburger a/k/a Betty Wunneburger, deceased, and Gregg W. Wunneburger, for a total amount not to exceed \$885,000, authorizing the naming of the tract as the Wunneburger Park, and waiving City Code Chapter 14-1 requirements related to naming public property.  
**Ordinance No. 20140320-028 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

**Items 29 through 31 were pulled for discussion.**

32. Authorize negotiation and execution of an interlocal agreement with the Austin Independent School District for the design and construction of a hike and bike trail connecting Georgian Drive to Rock Hollow Lane in an amount not to exceed \$13,700.  
**The motion authorizing the negotiation and execution of an interlocal agreement with the Austin Independent School District was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
33. Authorize award and execution of a 24-month supply contract with JAE CONSTRUCTION INC, for the purchase of flexible road base for Austin Energy, the Parks and Recreation Department, and the Public Works Department in an amount not-to-exceed \$428,000, with three 12-month extension options in an amount not to exceed \$214,000 per extension option, for a total contract amount not to exceed \$1,070,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D

(Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

**The motion authorizing the award and execution of a supply contract with JAE Cosntruction Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

34. Authorize award, negotiation, and execution of a 12-month requirements service contract with PORTER LEE CORPORATION, for maintenance and support of the BEAST LIMS software for the Austin Police Department in an amount not to exceed \$27,468, with three 12-month extension options in amounts not to exceed \$28,292 for the first option, \$29,141 for the second option, and \$30,015 for the third option, for a total contract amount not to exceed \$114,916. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

**The motion authorizing the award, negotiation and execution of a requirements service contract with Porter Lee Corporation was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

35. Authorize award, negotiation, and execution of a 36-month requirements service contract with DECCAN INTERNATIONAL for the continued maintenance and support of CAD Analyst, ADAM, BARB, and LiveMUM, analytical software for tracking emergency response vehicles, and an additional supplemental software module including maintenance and support in an amount not to exceed \$211,705 with two 12-month extension options in amounts not to exceed \$50,947 for the first extension option, and \$53,982 for the second extension option, for a total contract amount not to exceed \$316,634. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

**The motion authorizing the award, negotiation and execution of a requirements service contract with Deccan International was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

36. Authorize award and execution of a contract through the Houston-Galveston Area Council Cooperative with VOGEL TRAFFIC SERVICES DBA EZ-LINER INDUSTRIES for the purchase of one paint striping body in an amount not to exceed \$191,053. Related to Item #37. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

**The motion authorizing the award and execution of a contract through the Houston-Galveston Area Council Cooperative with Vogel Traffic Services doing business as Ez-Liner Industries was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

37. Authorize award and execution of a contract through the Houston-Galveston Area Council Cooperative with RUSH TRUCK CENTERS OF TEXAS, LP for the purchase of a heavy-duty truck chassis for the Aviation Department in an amount not to exceed \$72,705. Related to Item #36. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

**The motion authorizing the award and execution of a contract through the Houston-Galveston Area Council Cooperative with Rush Truck Centers of Texas, LP was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

38. Authorize award and execution of a six-month requirements supply agreement through the Texas Local Government Purchasing Cooperative (BuyBoard) with COOPER EQUIPMENT COMPANY for the rental of heavy-duty road-repair equipment in an amount not to exceed \$115,890, with two 12-month extension options in an amount not to exceed \$151,845 for the first extension option and \$174,162 for the second extension option, for an total contract amount not to exceed \$441,900. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)  
**The motion authorizing the award and execution of a requirements supply agreement through the Texas Local Government Purchasing Cooperative (BuyBoard) with Cooper Equipment Company was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
39. Authorize award and execution of Amendment 3 to the contract through the Texas Local Government Purchasing Cooperative (BUYBOARD) with GAME TIME/TOTAL RECREATION PRODUCTS, INC., and SOIL EXPRESS for engineered wood fiber used at playscapes, to extend the contract an additional 34 months with no additional funding for a total contract amount not to exceed \$855,000. (Notes: This contract was awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)  
**The motion authorizing the award and execution of amendment three to the contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with Game Time/Total Recreation Products, Inc. and Soil Express was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
40. Authorize award and execution of Amendment No. 2 to the contract through the Texas Local Government Cooperative (BUYBOARD) with T.F. HARPER & ASSOCIATES, THE PLAYWELL GROUP, PLAYCORE WISCONSIN, PLAYPOWER LT FARMINGTON and KOMPAN, INC., for the purchase, installation, maintenance & repair of playscapes to increase the contract value in an amount not to exceed \$4,440,000, for a revised total contract amount not to exceed \$6,800,000. (Notes: This contract was awarded in compliance with City Code Chapter 2-9D. (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)  
**The motion authorizing the award and execution of amendment number two to the contract through the Texas Local Government Cooperative (BuyBoard) with T.F. Harper & Associates; The Playwell Group; Playcore Wisconsin; Playpower LT Farmington; and Kompan, Inc. was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
41. Authorize award and execution of a 36-month requirements supply contract with WEBBERVILLE PROPANE, INC. DBA DIRECT PROPANE SERVICES to provide fuel grade propane supply and delivery in a total amount not to exceed \$2,121,795, with three 12-month extension options in a total amount not to exceed \$707,265 per extension option, for a total contract amount not to exceed \$4,243,590. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)  
**The motion authorizing the award and execution of a requirements supply contract with Webberville Propane, Inc. doing business as Direct Propane Services was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
42. Authorize award, negotiation, and execution of a service contract with ABUNDANT RAIN CHRISTIAN FELLOWSHIP to RFP EAD0113 for Community-Based Diabetes Self-Management Education in the African American Community for the Austin/Travis County Health and Human Services Department in an amount not to exceed \$48,729, with two 12-month extension options in an amount not to exceed

\$50,000 for each extension option, for a total contract amount not to exceed \$148,729. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

**The motion authorizing the award, negotiation and execution of a service contract with Abundant Rain Christian Fellowship was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

43. Authorize award, negotiation, and execution of a service contract with EL BUEN SAMARITANO EPISCOPAL MISSION to RFP EAD0114 for Community-Based Diabetes Self-Management Education in the Hispanic Community for the Austin/Travis County Health and Human Services Department in an amount not to exceed \$24,675, with two 12-month extension options in an amount not to exceed \$50,000 for each extension option, for a total contract amount not to exceed \$124,675. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

**The motion authorizing the award, negotiation and execution of a service contract with El Buen Samaritano Episcopal Mission was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

44. Approve an ordinance suspending a Gas Reliability Infrastructure Program interim customer surcharge proposed by Texas Gas Service and requesting reimbursement for expenses to review the rate adjustment. **Ordinance No. 20140320-044 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

45. Authorize negotiation and execution of an interlocal agreement with The University of Texas at Austin to develop a survey, conduct analysis, and develop a final report for the Residential Technology Study for a total contract amount not to exceed \$49,815.

**The motion authorizing the negotiation and execution of an interlocal agreement with the University of Texas at Austin was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

46. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members. **The following appointments were approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

#### Nominations

##### Board/Nominee

##### Nominated by

Austin Generation Resource Planning Task Force  
Barry Dreyling

Mayor Leffingwell

Commission on Seniors  
Cecilia Crossley

Mayor Pro Tem Cole

Library Commission  
Michelle Rosenblatt

Council Member Riley

#### Intergovernmental Bodies

City of Austin Employees' Retirement System



Russ Sartain

Council

47. Approve a resolution directing the City Manager to work with appropriate cities and entities to review state law concerning penalties for false alarms, review and draft an amendment to City Code regarding false alarms, review the City's own internal practices regarding operation of alarms at City facilities, and report back to Council with recommendations for ways to reduce false alarms. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Chris Riley CO 2: Council Member William Spelman)  
**Resolution No. 20140320-047 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
48. Approve a resolution directing the City Manager to develop a Housing First Permanent Supportive Housing (PSH) project through a formal solicitation process and prepare a report to Council on recommendations for future PSH projects. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Chris Riley)  
**Resolution No. 20140320-048 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
49. Approve a resolution directing the City Manager to engage community stakeholders, including City departments, educational institutions, non-profit organizations, and other government entities in defining the vision for Austin as a welcoming city for immigrants and to assist the Commission on Immigrant Affairs in hosting a "Welcoming City" conference to accomplish this goal. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member William Spelman)  
**Resolution No. 20140320-049 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
50. Authorize payment of certain costs under City Code Chapter 14-8 for the Cesar Chavez "Si Se Puede!" March sponsored by People Organized in Defense of Earth and her Resources (PODER) which is to be held Saturday, March 29, 2014. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Kathie Tovo CO 2: Council Member Chris Riley)  
**The motion authorizing the payment of certain costs for the Cesar Chavez "Si Se Puede!" March sponsored by People Organized in Defense of Earth and her Resources (PODER) was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
51. Approve a resolution directing the City Manager to work with the Travis County Justice and Public Safety Division, the Travis County Sheriff's Office, the Travis County Criminal Courts and Prosecution, the Seton Healthcare Family, the Psychiatric Services Stakeholder work group, and other community members to develop an implementation plan and funding strategies for a sobriety center. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Kathie Tovo CO 2: Council Member Mike Martinez)  
**Resolution No. 20140320-051 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
52. Approve an ordinance waiving or reimbursing additional rental fees for the 2014 Bengali New Year Festival sponsored by the Bangladesh Association of Greater Austin which is to be held Saturday, April 19, 2014 at Fiesta Gardens. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Mayor Lee Leffingwell CO 2: Mayor Pro Tem Sheryl Cole)  
**Ordinance No. 20140320-052 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
53. Approve a resolution amending the City's legislative agenda to include support for legislation that addresses unfair disparities in pay and directing the City Manager to conduct a study of current City employees to ensure that city employees are paid fairly based on lawful, job-related qualifications.

(Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member William Spelman CO 3: Mayor Lee Leffingwell)

**Resolution No. 20140320-053 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

54. Approve a resolution initiating amendments to City Code Chapter 25-10 and directing the City Manager to process an ordinance authorizing logos on certain right-of-way installations, such as transit facilities or bike stations, for the purpose of identifying the name, operator, or sponsor. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez CO 2: Mayor Pro Tem Sheryl Cole)  
**Resolution No. 20140320-054 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
55. Approve a resolution directing the City Manager to conduct community outreach focused on short-term and long-term efforts related to Onion Creek emergency response and floodplain buyout programs. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley)  
**Resolution No. 20140320-055 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
56. Approve a resolution directing the City Manager to work with the Austin Community Technology and Telecommunications Commission (CTTC) and other relevant Commissions, community organizations and stakeholders to develop a Digital Inclusion Strategic Plan and bring back to Council for consideration by October 23, 2014. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Mayor Lee Leffingwell)  
**Resolution No. 20140320-056 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
57. Approve a resolution recognizing the City Relations Task Force as a liaison between the City of Austin and the University of Texas at Austin students. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member William Spelman CO 2: Mayor Pro Tem Sheryl Cole)  
**Resolution No. 20140320-057 was approved on consent on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
58. Set a public hearing to consider the permanent use of approximately 1,406 square feet of land and temporary working space use of approximately 1,269 square feet of land for construction, use, maintenance, repair, and replacement of a mounted transformer pad and electric facilities for the Barton Springs Solar Project, through dedicated parkland known as Auditorium Shores at Town Lake Metro Park in accordance with Chapter 26 of the Texas Parks and Wildlife Code. (Suggested date and time, April 17, 2014, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set on consent for April 17, 2014 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
59. Set a public hearing to receive citizen comments on community needs in order to develop the City's five-year Consolidated Plan for Fiscal Years 2014 through 2019, as required by the United States Department of Housing and Urban Development, the City's Citizen Participation Plan, and the Texas Local Government Code Chapter 373. (Suggested date and time: March 27, 2014, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.)  
**The public hearing was set on consent for March 27, 2014 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**
60. Set a public hearing to consider an ordinance amending City Code Chapter 25-2 to create a Lake Austin (LA) District Zoning overlay extending environmental protections from the LA base zoning district to all

properties within 1,000 feet of Lake Austin. (Suggested date and time: April 17, 2014, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX.) Related to Item #61.

**The public hearing was set on consent for April 17, 2014 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

61. Set a public hearing to consider an ordinance amending sections of City Code Chapters 25-1, 25-2, 25-5, 25-7 and 25-8 relating to Lake Austin (LA) District zoning regulations and general regulations for boat dock and shoreline development. (Suggested date and time: April 17, 2014, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX.) Related to Item #60.

**The public hearing was set on consent for April 17, 2014 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.**

Items 62 and 63 were closed public hearing items.

Items 64 through 66 were Executive Session items.

Items 67 through 75 were zoning items set for 2:00 p.m.

Items 76 and 77 were public hearing items set for 4:00 p.m.

### **DISCUSSION ITEMS**

5. Approve Service Extension Request No. 3264 for wastewater service to a 49.29 acre tract at 9100 N FM 620 Road located entirely within the Drinking Water Protection Zone in the City's 2-mile extraterritorial jurisdiction. Related to Item #4.

**The motion to approve service extension request number 3264 was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.**

6. Approve an ordinance establishing the value of the exemption from ad valorem taxes for a portion of the appraised value of residential homesteads owned by individuals who are disabled or are 65 years of age or older.

**Ordinance No. 20140320-006 to set the homestead exemption at \$70,000 was approved on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 5-2 vote. Those voting aye were: Mayor Pro Tem Cole and Council Members Martinez, Morrison, Riley and Tovo. Those voting nay were: Mayor Leffingwell and Council Member Spelman.**

**Items 29 and 31 were acted on in a combined motion.**

29. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire approximately 292 acres in Travis County, Texas, together with improvements, and related personal property in connection with the Grey Rock golf course and tennis facility, located off Highway 45, from THE GOLF CLUB AT CIRCLE C, LP, A TEXAS LIMITED PARTNERSHIP, and the assumption of or entering into of related management contracts, leases, permits, repair contracts and other contracts, agreements, and entitlements related to such property, for a total contract amount not to exceed \$9,600,000. Related to Items #30 and #31.

**The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to acquire approximately 292 acres from The Golf Club at Circle C, LP, A Texas Limited Partnership was approved on Council Member Martinez' motion, Council Member Spelman's second on a 6-1 vote. Council Member Morrison voted nay.**

31. Approve a resolution declaring the City of Austin's official intent to reimburse itself from Certificates of Obligation to be issued for expenditures related to the purchase of the Grey Rock Golf and Tennis facility and related improvements in the total amount of \$9,600,000. Related to Items #29 and #30.  
**Resolution No. 20140320-031 was approved on Council Member Martinez' motion, Council Member Spelman's second on a 6-1 vote. Council Member Morrison voted nay.**
30. Approve an ordinance amending the Fiscal Year 2013-2014 Parks and Recreation Department Capital Budget (Ordinance No. 20130909-002) to increase appropriations by \$9,600,000 for the purchase of the Grey Rock Golf and Tennis Facility and related improvements. Related to Items #29 and #31.  
**Ordinance No. 20140320-030 was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Council Member Morrison voted nay.**

### **CITIZEN COMMUNICATIONS: GENERAL**

Nancy Lewis--Zoning change on the newly subdivided lots located NW corner South 1st and FM 1626.

Isabel Rios--Onion Creek Flood Area

Page Trimble--Pedicab/taxi regulation

Carlos León--1) Get right with GOD; We need GOD's assistance; Please help us GOD 2) 2/21-2/23 Chemtrails were sick & wrong 3) Truth must prevail

Jo Garcia--Onion Creek buyout program

Ausracio Reyes--Onion Creek buyout program

Dottie Parr--Questions and concerns about the Onion Creek flood.

Tony Marquardt--Public safety concerns

Bob Nicks--AFD Consent Decree item **Not present when name was called.**

**Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 12:39 p.m.**

### **EXECUTIVE SESSION**

**The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.**

64. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**This item was withdrawn.**
65. Discuss legal issues related to the transition to electing the council from single-member districts (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**This item was withdrawn.**
66. Discuss competitive matters related to the negotiation of a power purchase agreement with SunEdison (Public power utility competitive matters- Section 551.086 of the Government Code).

Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 1:46 p.m.

Mayor Leffingwell recessed the Council Meeting at 1:47 p.m.

Mayor Leffingwell called the Council Meeting back to order at 3:33 p.m.

#### **ZONING ORDINANCES / RESTRICTIVE COVENANTS**

67. C14-2013-0092 - Eastside Lumber Rezoning - Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2915 and 3013 East Cesar Chavez Street (Lady Bird Lake Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district for Tract One with conditions, and from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to rural residence-neighborhood plan (RR-NP) combining district zoning for Tract Two. First reading approved on January 23, 2014. Vote: 6-0, Mayor Lee Leffingwell was off the dais. Owner: RAM Ventures LLC (Randall A. Meek). Applicant: Land Answers, Inc. (Jim Wittliff). City Staff: Heather Chaffin, 512-974-2122.  
**Ordinance No. 20140320-067 for general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district for Tract One with conditions and rural residence-neighborhood plan (RR-NP) combining district zoning for Tract Two was approved on consent on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.**
68. NPA-2014-0003.01 - 1805 & 1807 Ulit Avenue - Conduct a public hearing and approve an ordinance amending Ordinance No. 990715-113, the Chestnut Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 1805 and 1807 Ulit Avenue (Boggy Creek Watershed) from Civic to Single Family land use. Staff Recommendation: To grant Single Family land use. Planning Commission Recommendation: To grant Single Family land use. Owner: BDB Ventures, LLC (Shawn Breedlove). Agent: City of Austin, Planning and Development Review Department (Jerry Rusthoven). City Staff: Maureen Meredith, 512-974-2695.  
**This item was postponed on consent to March 27, 2014 at staff's request on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.**
69. C14-2014-0006 - Ulit Avenue Rezoning - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1805 and 1807 Ulit Avenue (Boggy Creek Watershed) from public-neighborhood plan (P-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning. Staff Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning. Owner: BDB Ventures, LLC (Shawn Breedlove). Applicant: City of Austin, Planning and Development Review Department (Jerry Rusthoven). City Staff: Heather Chaffin, 512-974-2122.  
**This item was postponed on consent to March 27, 2014 at staff's request on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.**
70. C814-2012-0085.01 - Estancia Hill Country PUD-First Amendment - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 12814 Interstate Highway 35 South and FM 1327 (Puryear Road) at South IH 35 Service Road Southbound (Onion Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change a condition of zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning, to change a condition of zoning. Zoning and Platting Commission Recommendation: To be reviewed on April 15, 2014. Owner/Applicant: Sevengreen One LTD; Quartersage II LTD; Reverde Three LTD; IV Capitol Pointe LTD; Stone Pointe Five LTD; Saladia

VI LTD; Paol Grande Seven LTD; High Point Green VIII LTD; Golondrina Nine LTD; X Cordoniz LTD; Ciero Eleven LTD; Zaguan XII LTD; Thirteen Canard LTD; Ruissea XIV LTD; Dindon Fifteen LTD; Bois de Chene XVI LTD; Etourneau Seventeen LTD; Moineau XVIII LTD; SLF III - Onion Creek LP (The Stratford Company-Ocie Vest); Lennar Homes of Texas Land and Construction, LTD (Ryan Mattox). Agent: City of Austin-Planning and Development Review Department. City Staff: Wendy Rhoades, 512-974-7719.

**This item was postponed on consent to May 15, 2014 at staff's request on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.**

71. C14-2012-0067(RCT) - La Estancia del Rio Restrictive Covenant Termination - Conduct a public hearing to terminate a restrictive covenant on property locally known as 1700 1/2 Frontier Valley Drive (Carsen Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Planning Commission Recommendation: To grant the restrictive covenant termination. Owner: Standard Pacific Homes of Texas, Inc. (Jay Byler). Applicant: Big Red Dog Engineering (Nicholas Kehl, PE). City Staff: Lee Heckman, 512-974-7604.

**The public hearing was conducted and the motion to close the public hearing and approve the restrictive covenant termination was approved on consent on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.**

74. C14-2013-0147 - 707 West Avenue Rezoning - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 707 West Avenue (Shoal Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning to downtown mixed use (DMU) district zoning. Staff Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Owner: Cirrus Logic, Inc. (Thurman Case). Applicant: Armbrust & Brown, P.L.L.C. (Richard Suttle). City Staff: Heather Chaffin, 512-974-2122.

**This item was postponed on consent to March 27, 2014 at staff's request on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.**

75. C14-2014-0002 - HMAP Development, Ltd. - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 10701 Manchaca Road (Slaughter Creek Watershed) from neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Owner/Applicant: HMAP Development, Ltd. (Mark Musemeche). Agent: RGB Enterprises, LLC (Henry C. Ross). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20140320-075 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning was approved on consent on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.**

#### **DISCUSSION ITEMS CONTINUED**

2. Authorize negotiation of a power purchase agreement with SunEdison, for a term of up to 25 years for up to 150 megawatts of solar-generated electricity, in an estimated amount of \$21,000,000 per year, for a total estimated contract amount of \$525,000,000. Recommended by the Electric Utility Commission on a vote of 5-0-2 with Commissioners Butler and Rai abstaining.

**The motion authorizing the negotiation of a power purchase agreement with SunEdison was approved on Council Member Spelman's motion, Council Member Riley's second on a 7-0 vote.**

**ACTION ON ITEM(S) WITH CLOSED PUBLIC HEARINGS**

63. Approve second and third readings of an ordinance amending City Code Title 25 to allow placement of accessible ramps in a required yard setback. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON FEBRUARY 27, 2014.

**There was a motion made by Council Member Tovo and seconded by Council Member Riley to approve the ordinance with the following amendments.**

**The amendments were:**

**Part 1, subsection (H)(2)(a) should read, “is no wider than 48 inches, except that any portion of a landing for the ramp required for turns may be no wider than 60 inches;”**

**Part 1, subsection (H)(3)(a) should read, “Is the minimum amount necessary to provide access for a disabled person.”**

**There was a friendly amendment made by Council Member Riley to replace “access for disabled person” with “access for person with disabilities” in the ordinance. The amendment was accepted by the maker of the motion.**

**There was a friendly amendment made by Council Member Spelman to have part 1, H(1)(b) to read “submits a signed statement verifying that a disabled occupant requires access to the dwelling” and part 2, C(10)(b) to read “the disabled individual submits a signed statement verifying that a disabled occupant requires access to the dwelling;”. The amendment was accepted by Council Member Riley, who made the second.**

**There was a friendly amendment made by Council Member Riley to remove any requirement for verification of a disabled occupant in the ordinance. The amendment was not accepted by the maker of the motion.**

**There was an amendment made by Council Member Riley and seconded by Mayor Leffingwell to approve the ordinance on second reading to allow placement of ramps in set-backs without the filing of any statement and without any occupancy requirements. The amendment passed on a vote of 4-3. Those voting aye were: Mayor Leffingwell and Council Members Martinez, Riley and Spelman. Those voting nay were: Mayor Pro Tem Cole and Council Members Morrison and Tovo.**

**There was a friendly amendment made by Council Member Tovo to reopen the public hearing on third reading. The amendment was accepted by Council Member Riley, who made the second.**

**The second reading of the ordinance was approved with the amendments listed above on Council Member Tovo’s motion, Council Member Riley’s second on a 7-0 vote.**

**Mayor Leffingwell recessed the Council Meeting for Live Music and Proclamations at 5:26 p.m.**

**Live Music**

KP and the Boom Boom

**PROCLAMATIONS**

Certificates of Congratulations -- Business Success Skills Graduates -- to be presented by Mayor Lee Leffingwell and to be accepted by recent graduates

Proclamation -- Diabetes Alert Day -- to be presented by Mayor Lee Leffingwell and to be accepted by Jennifer Matison

Certificates of Congratulations -- GTOPs Award Winners -- to be presented by Council Member Laura Morrison and to be accepted by the honorees

**Mayor Leffingwell called the Council Meeting back to order at 7:03 p.m.**

### **ZONING DISCUSSION ITEM**

72. C14-2013-0081 - Apostolic 1.5 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 517 East Oltorf Street (Blunn Creek Watershed) from single family residence standard lot-neighborhood plan (SF-2-NP) combining district zoning to general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, as amended. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Planning Commission Recommendation: To deny general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Owner: Apostolic Assembly of the Faith in Christ Jesus, Inc. (Frank Balboa). Applicant: Jim Bennett Consulting (Jim Bennett). City Staff: Lee Heckman, 512-974-7604.

**This item was postponed to May 1, 2014 with the public hearing held open on Council Member Morrison's motion, Council Member Riley's second on a 7-0 vote.**

### **PUBLIC HEARINGS AND POSSIBLE ACTIONS**

76. Conduct a public hearing and consider an ordinance amending City Code Title 25 to allow breweries to sell beer and ale produced on-site, for on-site consumption.  
**This item was postponed to April 10, 2014 on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**
77. Conduct a public hearing and consider an ordinance regarding floodplain variances for the construction of a new single-family residence and a second dwelling at 5505 Jim Hogg Avenue as requested by the owner of the property. The property is partially in the 25-year floodplain and entirely in the 100-year floodplain of the Hancock Branch of Shoal Creek.  
**This item was postponed to April 17, 2014 on Council Member Martinez motion, Council Member Spelman's second on a 7-0 vote.**

### **ACTION ON ITEM(S) WITH CLOSED PUBLIC HEARINGS CONTINUED**

62. Approve second and third readings of an ordinance amending City Code Title 25 to amend the occupancy limit for unrelated individuals in single-family zoned property. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON FEBRUARY 13, 2014.  
**Ordinance No. 20140320-062 was approved with the following friendly amendments on Council Member Martinez' motion, Council Member Riley's second on a 6-1 vote. Council Member Spelman voted nay.**

**There was a friendly amendment made by Mayor Leffingwell to allow for reconstruction within a year if structure is partially or totally destroyed by an act of God or fire. The amendment was accepted by the maker of the motion and Council Member Riley, who made the second.**

**There was a friendly amendment made by Mayor Leffingwell for staff to build in a trigger to give the new Council an advanced warning. The amendment was accepted by the maker of the motion and Council Member Riley, who made the second.**



**There was a friendly amendment made by Council Member Spelman to restrict not to McMansion but to 78751, 78705, 78702, and 78704 zip codes. This was not accepted by the maker of the motion.**

73. C14-2013-0107 - 600 Kemp Street - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 600 Kemp Street (Country Club West Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning, with conditions. Planning Commission Recommendation: To deny townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning, with conditions. Owner: Kemp Street Properties, LLC. Applicant: Thrower Design (Ron Thrower). City Staff: Lee Heckman, 512-974-7604. A valid petition has been filed in opposition to this rezoning request.
- There was a motion made by Council Member Morrison and seconded by Council Member Martinez to deny the rezoning request. The motion passed on a vote of 4-3. Those voting aye were: Council Members Martinez, Morrison, Spelman and Tovo. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Member Riley.**

**Mayor Leffingwell adjourned the meeting at 9:15 p.m. without objection.**

**The minutes were approved on this the 27th day of March, 2014 on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.**